



4910-06-P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2010-0124]

### Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on July 23, 2020, Railtown 1897 State Historic Park (Railtown) petitioned the Federal Railroad Administration (FRA) to extend its special approval and request a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 215, Railroad Freight Car Safety Standards. FRA assigned the petition Docket Number FRA-2010-0124.

Specifically, Railtown seeks to renew its special approval pursuant to 49 CFR 215.203, *Restricted cars*, to continue in service one cupola caboose originally shop built in 1923. Railtown also seeks relief (not previously granted for this caboose) from § 215.303, *Stenciling of restricted cars*, due to the historic nature of the caboose.

Railtown states that this caboose has a maximum load of 30 passengers with a combined weight not to exceed 5,000 pounds. It will be used for excursion train service on 3 miles of privately owned track. Railtown is part of the California State Park System and is owned and operated by the State of California. Trained, paid and volunteer staff of the State of California operate and maintain the caboose. This caboose will not be interchanged with other railroads.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](https://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Ave., SE, W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Ave., SE, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]** will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to

better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>. See also <https://www.regulations.gov/privacyNotice> for the privacy notice of [www.regulations.gov](http://www.regulations.gov).  
Issued in Washington, DC.

**John Karl Alexy,**

*Associate Administrator for Railroad Safety*

*Chief Safety Officer.*

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